IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 16376 of 2007(Y)

PETITIONER:

JIJILA VARGHESE,
W/O.PLEASANT CHERIAN, AGED 25 YEARS,
UPPER PRIMARY SCHOOL ASSISTANT, M.K.M.U.P.SCHOOL,
PORKULAM, KUNNAMKULAM, THRISSUR DISTRICT.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

1. **THE STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, TRIVANDRUM.**
2. **THE DIRECTOR OF PUBLIC INSTRUCTION, JAGATHY, TRIVANDRUM-14.**
3. **THE ASSISTANT EDUCATIONAL OFFICER, KUNNAMKULAM, THRISSUR DISTRICT.**
4. **THE CORPORATE MANAGER, M.I.S.C. EDUCATIONAL SOCIETY, THOZHIYOOR, KUNNAMKULAM, THRISSUR DISTRICT.**

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER,J.

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W.P.(C). No.16376 of 2007

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Dated this the 12th day of June, 2007

JUDGMENT

Petitioner is now working as an Upper Primary School Assistant in the school under the management of respondent no.4. According to the petitioner, the department is refusing to approve her appointment though she got appointment in the school with effect from June 1, 2005.

2. Initially the department took the view that approval cannot be granted since there is a managerial dispute. Later, the objection raised by the department was that petitioner was a graduate and therefore she could not have been appointed as a Lower Primary School Assistant. It is the specific case of the petitioner that she was appointed as an Upper Primary School Assistant. The above contention raised by the petitioner was supported by the manager. The Government in a revision filed by the manager had found credence in the contentions raised by him and accordingly Ext. P7 order was passed directing the Controlling Officer to approve the appointment of the petitioner as Upper Primary School Assistant with effect from June 1, 2005,

in the vacancy of Smt. Silvy Varghese. Still the Controlling Officer dragged his feet in the matter and it is therefore that the petitioner has preferred this writ petition. Learned counsel invites my attention to Exts.P9 and P12 communication of the Controlling Officer and submits that petitioner is prepared to produce all the documents before him as directed.

3. In that view of the matter, the writ petition is disposed of with a direction to respondent No.3 to pass appropriate order on Ext.P7 as expeditiously as possible, at any rate, within two weeks from the date of receipt of copy of this judgment. The submission made by the learned counsel that the petitioner is prepared to produce all the records that have been called for by the Officer, is recorded. Learned counsel further submits that over and above the documents which have been directed to be produced by the petitioner, she will produce other documents also within one week from today.

Writ petition is disposed of as above.

A.K.BASHEER,JUDGE

dvs